

## **REMARKS**

In the Office Action dated February 15, 2006, claims 1, 5-8 and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by Meyer, and claims 11 and 13-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Meyer.

Claims 2-4, 9 and 10 were stated to be allowable if rewritten in independent form.

By the present amendment, the subject matter of claim 2 has been embodied in independent claim 1, and claim 2 accordingly has been cancelled. The dependency of claims 3 and 4 has been revised in view of the incorporation of the subject matter of claim 2 into claim 1.

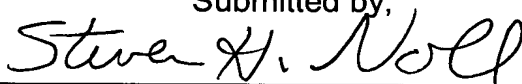
Although claim 9 was among the claims indicated as being allowable if rewritten in independent form, claim 9, in the claims as originally filed, depends from claim 8 and claim 8 was erroneously stated to depend from claim 1, whereas claim 8 should have been originally written to depend from claim 7, in order to provide proper antecedent basis for the term "said at least one parameter." This discrepancy in the dependency of claim 8 has been corrected in the present amendment, however, it does not appear that the Examiner considered the allowability of claim 9 to be dependent on the listing of the types of parameters that can be analyzed by the analyzer, as set forth in claim 7. The allowability of claim 9 appeared to be based on the use of the integrated area below the average impedance morphology curve versus time as the analyzed parameter, and the emission of stimulation pulses to maximize this integrated area. As such, the details of claim 7 do not appear to have entered into the Examiner's statement that claim 9 would be allowable if rewritten in

independent form, particularly in view of the fact that claim 8, as originally filed, depended from claim 1, rather than from claim 7.

Therefore, new claim 20 has also been submitted in the present amendment which is original claim 9 rewritten in independent form, and including the subject matter of original claim 8 as well.

In view of the indicated allowability of the subject matter of claims 2-4, 9 and 12, all claims of the application are submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,



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